

REMARKS

Claims 1 and 3-7 are presented for consideration, with Claim 1 being independent.

Claim 1 has been amended to further distinguish Applicant's invention from the cited art. In addition, Claims 8-14 have been cancelled.

Claims 1, 3, 5, 7 and 12 stand rejected under 35 U.S.C. §103 as allegedly being obvious over Endo '647 in combination with Ikeda '385. The remaining claims stand rejected as allegedly being obvious over Endo and Ikeda, and further in view of Lindsay '497 and Swidler '833 (Claim 4), Uno '883 (Claim 6), Goden '136 (Claims 8, 9 and 14), Asano '557 (Claims 10 and 11), and Ikeda '896 (Claim 13). These rejections are respectfully traversed.

Claim 1 of Applicant's invention relates to an electrophoretic display device comprised of a substrate, a sealing plate, a partition wall disposed between the substrates and the sealing plate, and a liquid layer disposed in a container including the substrate and the partition wall and comprised of electrophoretic particles and a dispersion medium. In addition, a first electrode is formed at a position apart from the partition wall on the substrate, a second electrode is formed along the partition wall, and means is provided for applying a voltage between the first electrode and the second electrode. A resistance layer electrically connects the first electrode and the second electrode and is formed at a surface of the substrate defining part of the container.

The primary citation to Endo relates to an electrophoretic display that includes first and second substrates 1, 2, separated by a partition wall 7, and contains therein an insulating liquid 5 having charge migrating particles 6 (see Figures 1(a) and 1(b)). As illustrated, a first electrode 3 is disposed along the first substrate, and a second electrode 4 is disposed as part of the partition

wall. The Office Action acknowledges that Endo fails to provide a resistance layer electrically connecting the first electrode and the second electrode.

The secondary citation to Ikeda '385 was cited to compensate for the deficiencies in Endo. Ikeda discloses an electrophoretic display device that includes first and second substrates 1a and 1b, as shown in Figure 1. In addition, a stage 4 is provided with a first electrode 5a and a second electrode 5b, and an insulating layer 9 is formed between the first and second electrodes.

Initially, it is submitted that it would not have been obvious to combine Endo and Ikeda in the manner proposed in the Office Action to render obvious Applicant's invention as set forth in Claim 1. In Ikeda, the insulating layer is formed to prevent the injection of an electric charge into the charged electrophoretic particles from the respective electrodes 5a, 5b (see column 6, lines 34-38). Endo, on the other hand, is able to effectively drive the electrophoretic display without causing an increase in drive voltage, and does so by providing a first region A1 and having a second scattering layer 9 with a thickness larger than a first scattering layer 8 (see page 21, line 20, *et. seq.*). It is respectfully submitted, therefore, that Endo's objectives would not be furthered by incorporating an insulating layer, and thus it would not have been obvious to combine Endo and Ikeda, without impermissible hindsight.

Further, it is submitted that the insulating layer in Ikeda does not electrically connect the first electrode and the second electrode while being formed at a surface of the substrate defining part of the container, as recited in Claim 1. Accordingly, it is submitted that the proposed combination of art, even if proper, still fails to teach or suggest Applicant's invention as set forth in Claim 1.

Accordingly, reconsideration and withdrawal of the rejection of Claims 1, 3, 5, 7 and 12 under 35 U.S.C. §103 is respectfully requested.

The patents to Lindsay and Swidler were cited for disclosing, among other features, a resistance value of a resistance layer.

Uno relates to an electrophoretic display device and is relied on for its teaching of a coloring layer formed between a resistance layer and a light reflection layer.

Goden relates to a driving method of an electrophoretic display and is relied on for its teaching of a plurality of data lines disposed on a substrate at a certain pitch.

The Asano application is relied on for its disclosure of an apparatus having a drive voltage line electrically connected with a first electrode and means for controlling a current flow.

Ikeda '896 relates to an electrophotographic display and was cited for its teaching of providing a period during which the voltage between the first and second electrodes is substantially zero.

These tertiary citations fail, however, to compensate for the deficiencies in Endo and Ikeda as discussed above with respect to Claim 1. Accordingly, without conceding the propriety of combining the art in the manner proposed in the Office Action, such combinations still fail to teach or suggest Applicant's claimed invention. Therefore, reconsideration and withdrawal of the remaining rejections under 35 U.S.C. §103 is respectfully requested.

The amendments to the claims were not presented earlier as it was believed that the previously presented claims would be found allowable. This Amendment does not add any additional claims. Moreover, the Examiner's familiarity with the subject matter of the present application will allow an appreciation of the significance of the amendments herein without undue expenditure of time and effort. Finally, the Amendment does not raise new issues requiring further consideration or search. Accordingly, it is submitted that entry of the Amendment is appropriate.

Thus, it is submitted that Applicant's invention as set forth in independent Claim 1 is patentable over the cited art. In addition, dependent Claims 3-7 set forth additional features of Applicant's invention. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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